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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/765,044

**Applicant(s)**

FREEMAN ET AL.

**Examiner**

RICKY CHIN

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1-28-04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI/cc)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 2-17-04; 8-20-04; 12-07-04; 3-15-05; 12-23-05



## **DETAILED ACTION**

### ***Priority***

1. This application discloses and claims only subject matter disclosed in prior application no. 08/815,168 filed on 3/11/1997 and 08/598,382 filed 02/08/1996, and names an inventor or inventors named in the prior application. The elements used in this application such as URL, audio signals, branching codes, Web, internet etc. could not be found anywhere in any prior applications of 08/443,607; 08/166,608 and 07/797,298. Therefore, the effective filing date of the instant application is February 8, 1996.

### ***Double Patenting***

2. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees.

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A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 1-4 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 12-15 of U.S. Patent No.

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5,861,881. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1-4 of the application is merely broader in scope than patented claims 12-15 and therefore an obvious variant.

Claims 5-7 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 12-15 of U.S. Patent No 5,861,881. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 5-7 of the application only differ from patented claims 12-15 in comprising of a viewer interface for receiving viewer entries instead of a memory for storing a viewer profile is used instead and thus an obvious-variant of the patented claims.

Claims 8 -12, and 17 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 12-15 of U.S. Patent No. 5,861,881. The application claims merely add the limitations of resource locators specifying one or more internet information addresses of related internet information segments obtained from the internet. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified the patented claims 12-15 to have resource locators specifying internet addresses of related internet information segments so as to provide the user an alternative way to obtain additional or enhance related information from the internet.

Claims 13-16 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 7,079,176, since claims 13-16 is just merely broader in scope than patented claims 1-4 and therefore an obvious variant. The claims differ in that the instant application claim 13 recites "at least one digital compression device... for compressing the video, graphics, and the audio signals" and the patented claims recites "at least one digital compression device... for digitally compressing the video signals from a plurality of video cameras, one or more graphic signals, and one or more audio signals.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims (1-4, and 13) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett, US 5,068,733 in view of Harper et al., US 5,585,858.

Regarding claim 1, Bennett discloses a live interactive programming system, comprising (Abstract): a viewer television reception system for receiving

live interactive programming (col.1 lines 59-69), the live interactive programming comprising a plurality of video, audio (col. 1 lines 33-47); a viewer interface for receiving viewer entries (col.1. lines 59-68); a microprocessor connected to the viewer interface, for selecting one of the video and audio signals and directing a seamless switch to the selected video and audio signals at a predetermined time (col.2 lines 18-54 which discloses video and audio switchers), a demultiplexer, for demultiplexing the selected video and audio signals(Fig. 1B, 91; col.2 lines 35-40, which discloses the RF splitter which recovers the individual RF signals to be directed to the microwaves where they are restored to separate audio and video signals); a means for displaying the selected video signal (col. 2 lines 41-60); and a means for playing the selected audio signal (col.2 lines 41-60).

Bennett does not explicitly teach of branching codes, digital video/audio, and graphics signals which are digitally compressed, decompressor/decoder, connected to the demultiplexer for decompressing the demultiplexed selected video and audio signals. OFFICIAL NOTICE is taken by the examiner to note that a decompressor/decoder is notoriously well-known in the art and would have been obvious to one of ordinary skill in the art to have implemented a decoder for the mere benefit of being able to reproduce and display the digital video and audio. Furthermore, Harper discloses digital audio/video (Abstract) being digitally compressed (Fig.10 , elements 500 and 504), branching codes and graphics signals, the reception system comprising (Col. 7 lines 11-51);the selection of the video and audio signals and the predetermined time of each selection a function of the branching codes and the received viewer entries (col. 8 lines 15-33);



Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Bennett and Harper as a whole for the mere benefit of providing a fuller interactivity for the user to the system and the received viewer entries.

Regarding claim 2, the combination of Bennett and Harper teaches all the claim limitations of the live interactive digital programming system of claim 1, further the combination teaches of wherein the plurality of digitally compressed video signals([Harper],Fig. 4, 320) corresponds to different predetermined camera angles of an event ([Bennett], col.1, lines 59-69).

Regarding claim 3, The combination of Bennett and Harper teaches all of the claim limitations of the live interactive digital programming system of claim 1, further the combination teaches of wherein the microprocessor selects one of the graphics signals (trigger points) at a predetermined time, the selection of the graphics signal a function of the branching codes and the received viewer entries, and further comprising a means, connected to the microprocessor, for presenting the selected graphics signal on the display means ([Harper], col. 15, lines 48 to col. 16, lines 1-25 and col. 18. lines 60- col. 19 lines 1-20).

Regarding claim 4, the combination of Bennett and Harper teach all of the claim limitations of the live interactive digital programming system of claim 1, further the combination teaches of wherein the display means presents at least

one interrogatory to the viewer, the content of the interrogatory involving program options, and the viewer entries correspond to collected entries from the viewer via the viewer interface in response to the interrogatories ([Bennett], col.3 lines 5-11).

Regarding claim 13, Bennett discloses a system for providing live interactive digital programming (Abstract) comprising: obtaining a plurality of video signals from a plurality of camera angles wherein at least one of the pluralities of camera angles provide a differentiable view of a live event and wherein the plurality of video signals relate in real time and content (col. 1, lines 59-69); a means for transmitting the combined program stream(col.2 lines 33-35); and a means for producing one or more audio signals corresponding to the live event (col.2 lines 7-40). Bennett does not explicitly teach of components being of digital form, branching codes, and graphics signals.

However, in the same field of endeavor, Harper discloses a means for generating one or more graphics signals (col.5 lines 40-60); at least one digital compression device, connected to the receiving and producing means, for digitally compressing the video, graphics and audio signals (Fig. 10, 500, 504); a means for processing, connected to the compression device, wherein the processing means creates a set of data commands which link together the various audio, graphics and video signals, the data commands including branching commands (col. 16 lines 17-48); a digital multiplexer, connected to the digital compression device, for multiplexing the video, graphics and audio

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signals, and the data codes into a combined digital program stream( Fig. 10, 508);

Therefore, it would have been obvious of one of ordinary skill in the art at the time of the invention was made to have combined the teachings of Bennett with that of Harper as a whole to provide better interactivity for the user.

**7. Claims (5-7 and 14-16) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett, US 5,068,733 in view of Harper et al., US 5,585,858 as applied to claim 1 in further view of Wachob, US 5,231,494.**

Regarding claims 5-7, the claims has been analyzed and rejected using the same rationale of claims 1-3. The combination of Bennett and Harper teach all of the claim limitations of claims 1-3. However, the combination of does not explicitly teach of a memory for storing a viewer profile.

Wachob discloses a memory for storing a viewer profile (col. 5 lines 56-66). Therefore, it would have been obvious to have combined the teaches of Bennett and Harper with that of Wachob as a whole for the mere benefit of being able to better characterize the viewer.

Regarding claims 14 and 15, the combination of Bennett and Harper teach all of the claim limitations of the method for providing live interactive digital programming of claim 13. The combination further teaches of receiving the video and audio signals in a control studio; ([Bennett], background of the invention

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discloses that signals are received in a remote studio); receiving the combined digital program stream at a receive site ([Bennett], col.2 lines 17-40 which discloses that the combined signals are received by a receiving antenna); re-transmitting the combined digital program stream on a digital cable television distribution system ([Bennett], col.2 lines 17-40) discloses that the signals are re-transmitted on a cable television distribution system); receiving the combined digital program stream at one or more viewer sites (it is inherent in cable distribution systems to provide video to one or more viewer subscribers); processing the data commands ([Harper], col. 8 lines 1-14); digitally demultiplexing the video and audio signals resulting in a first video and audio signal ([Harper], col. 8 lines 34 - col. 9 lines 1-44); instructing the digital demultiplexer to commence demultiplexing a second video and second audio signal, ([Harper], col. 17 lines 60- col. 18 lines 1- 9); seamlessly switching from the first to the second video signal; and displaying the second video signal on a screen ([Bennett], Col.1 lines 69- Col. 2 lines 1-16 and lines 46-55).

The combination of Bennett and Harper does not explicitly teach of gathering viewer specific information and selecting signals based on the gathered specific information.

However, in the same field of endeavor Wachob clearly discloses gathering viewer specific information the first output video and first audio signal selected based on the data commands and gathered viewer specific information (col.1 lines 40-52 and col. 5 lines 56-67)

Therefore it would have been obvious of one of ordinary skill in the art at the time of the invention to have combined the teachings of Bennett and Harper with that Wachob as a whole for the mere benefit of providing a more flexible and enhanced interactive experience by better characterization for a multitude of users.

Regarding claim 16, the combination of Bennett, Harper, and Wachob teach all the claim limitations of the method of claim 14, the combination further teaches of wherein the step of gathering viewer specific information comprises the steps of: displaying at least one interrogatory to the viewer, the content of the interrogatory involving program options([Bennett], col3. lines 5-11); collecting entries from the viewer in response to the interrogatories([Bennett], col. 3 lines 5-11); and wherein the selection of video or audio signals is based in part on the collected viewer entries([Wachob], col. 1 lines 40-52).

**8. Claims (8-12, and 17) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett, US 5,068,733 in view of Harper et al., US 5,585,858 as applied in claim 1 in further view of Wolzien, US 5,761,606.**

Regarding claim 8, The combination of Bennett and Harper discloses a live interactive digital programming system, comprising: a viewer television reception system for receiving live interactive programming, the live interactive programming comprising a plurality of digitally compressed video, audio,

branching codes, the reception system comprising: a viewer interface for receiving viewer entries; a means, connected to the viewer interface, for processing comprising: means for selecting one of the video and audio signals and directing a seamless switch to the selected video and audio signals at a predetermined time, the selection of the video and audio signals and the predetermined time of each selection a function of the branching codes and the received viewer entries; and a means for presenting the video and audio signals (See analysis of claim 1).

The combination of Bennett and Harper does not explicitly teach of one or more uniform resource locators specifying one or more Internet addresses of related Internet information segments obtained from Web sites on the Internet; a means for decoding the uniform resource locators to determine the specified Internet addresses; a means, connected to the decoding means, for retrieving the one or more Internet information segments residing at the determined Internet addresses; and Internet information segments.

However, in the same field of endeavor, Wolzien discloses a system for providing direct access to an online information services provider through an address embedded in a video or audio program. Furthermore, Wolzien discloses the information segment address is a URL (col. 5 lines 45- col.6 lines 1-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified the teachings of Bennett and Harper with that of Wolzien as a whole as to provide the user an alternative way to obtain additional or enhanced information from the internet.

Regarding claims 9-12, the combination of Bennett, Harper, and Wolzien disclose the live interactive digital programming system of claim 8, the combination further teaches of comprising: a demultiplexer, for demultiplexing the selected video and audio signals; and a decompressor/decoder, connected to the demultiplexer, for decompressing the demultiplexed selected video and audio signals (See analysis of claim 1).

Regarding claim 10, the combination of Bennett, Harper, and Wolzien discloses the live interactive digital programming system of claim 8, the combination further teaches of wherein the plurality of digitally compressed video signals correspond to a different predetermined camera angle of an event (See analysis of claim 2).

Regarding claim 11, the combination of Bennett, Harper, and Wolzien discloses the live interactive digital programming system of claim 8, the combination further teaches of wherein the presenting means displays at least one interrogatory to the viewer, the content of the interrogatory involving program options, and the viewer entries correspond to collected entries from the viewer via the viewer interface in response to the interrogatories (See analysis of claim 4).

Regarding claim 12, the combination of Bennett, Harper, and Wolzien discloses the live interactive digital programming system of claim 8, the combination further teaches of wherein the live interactive programming further comprises a plurality of graphics signals and the selecting means selects one of the graphics signals at a predetermined time, the selection of the graphics signal a function of the branching codes and the viewer profile, and further comprising a means, connected to the microprocessor, for presenting the selected graphics signal on the display means (See analysis of claim 3).

Regarding claim 17, the claim has been analyzed and rejected for the same reasons set forth in the rejections of claim 8 and 9.

**9. Claims (1-4, and 13) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett, US 5,068,733 in view of Hoarty, US 5,412,720 in further view of Barstow et al., US 5,189,630.**

Regarding claim 1, Bennett discloses a live interactive programming system, comprising (Abstract): a viewer television reception system for receiving live interactive programming (col.1 lines 59-69), the live interactive programming comprising a plurality of video, audio (col. 1 lines 33-47); a viewer interface for receiving viewer entries (col.1. lines 59-68); a microprocessor connected to the viewer interface, for selecting one of the video and audio signals and directing a seamless switch to the selected video and audio signals at a predetermined time



(col.2 lines 18-54 which discloses video and audio switchers), a demultiplexer, for demultiplexing the selected video and audio signals(Fig. 1B, 91; col.2 lines 35-40, which discloses the RF splitter which recovers the individual RF signals to be directed to the microwaves where they are restored to separate audio and video signals); a means for displaying the selected video signal (col. 2 lines 41-60); and a means for playing the selected audio signal (col.2 lines 41-60).

Bennett does not explicitly teach of branching codes, digital video/audio, and graphics signals which are digitally compressed, or decompressor/decoder, connected to the demultiplexer for decompressing the demultiplexed selected video and audio signals. OFFICIAL NOTICE is taken by the examiner to note that a decompressor/decoder for decompressing digitally compressed signals is notoriously well-known in the art and would have been obvious to one of ordinary skill in the art to have implemented a decoder for the mere benefit of being able to reproduce and display the digital video and audio. Furthermore, Hoarty discloses demultiplexed digital signals being digitally compressed (col. 4 lines 22-40 and col.7 lines 1-20).

Bennett and Hoarty do not explicitly teach of branching codes; the selection of the video and audio signals and the predetermined time of each selection a function of the branching codes and the received viewer entries. However, in the same field of endeavor, Barstow discloses branching codes the selection of the video and audio signals and the predetermined time of each selection a function of the branching codes and the received viewer entries (Fig. 2 and Fig. 3 and col. 5 lines 47 – col. 6 lines 22 which discloses software providing a menu of possible

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action types and prompts for relevant information about start and stop times and parameters after an action type is selected).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Bennett and Hoarty with that of Barstow as a whole for the mere benefit of providing a fuller interactivity for the user to the system and the received viewer entries.

Regarding claim 2, the combination of Bennett, Hoarty, and Barstow teaches all the claim limitations of the live interactive digital programming system of claim 1, further the combination teaches of wherein the plurality of digitally compressed video signals( [Hoarty], col. 4 lines 22-40 and col.7 lines 1-20) corresponds to different predetermined camera angles of an event ([Bennett], col.1, lines 59-69).

Regarding claim 3, The combination of Bennett, Hoarty, and Barstow teaches all of the claim limitations of the live interactive digital programming system of claim 1, further the combination teaches of wherein the microprocessor selects one of the graphics signals (trigger points) at a predetermined time, the selection of the graphics signal a function of the branching codes and the received viewer entries, and further comprising a means, connected to the microprocessor, for presenting the selected graphics signal on the display means ([Barstow], see col. 5 lines 47 – col. 6 lines 22 which discloses software (needs processor to execute) providing a menu of possible action types and prompts for

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relevant information about start and stop times and parameters after an action type is selected; col.2 lines 45-60 which discloses that the viewer is able to select a perspective view for a visual image that is displayed on the display).

Regarding claim 4, the combination of Bennett, Hoarty, and Barstow teach all of the claim limitations of the live interactive digital programming system of claim 1, further the combination teaches of wherein the display means presents at least one interrogatory to the viewer, the content of the interrogatory involving program options, and the viewer entries correspond to collected entries from the viewer via the viewer interface in response to the interrogatories ([Bennett], col.3 lines 5-11).

Regarding claim 13, Bennett discloses a system for providing live interactive digital programming (Abstract) comprising: obtaining a plurality of video signals from a plurality of camera angles wherein at least one of the pluralities of camera angles provide a differentiable view of a live event and wherein the plurality of video signals relate in real time and content (col. 1, lines 59-69); a means for transmitting the combined program stream(col.2 lines 33-35); and a means for producing one or more audio signals corresponding to the live event (col.2 lines 7-40). Bennett does not explicitly teach of components being of digital form, branching codes, and graphics signals.

In the same field of endeavor, Hoarty discloses a means for generating one or more graphics signals ([Abstract]); at least one digital compression device,

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connected to the receiving and producing means, for digitally compressing the video, graphics and audio signals ([Abstract], which discloses digitally compressed signals which can be provided by a modulator means), a digital multiplexer (col.3 lines 60-65), connected to the digital compression device(col.3 lines 55-62), for multiplexing the video, graphics and audio signals, and the data codes into a combined digital program stream(col.4 lines 1-22);

Bennett and Hoarty do not explicitly teach of branching codes and wherein the processing means creates a set of data commands which link together the various audio, graphics and video signals, the data commands including branching commands. However, in the same field of endeavor Barstow discloses branching codes (Fig. 2 and Fig. 3 and col. 5 lines 47 – col. 6 lines 22) and a set of data commands which link together the various audio, graphics and video signals, the data commands including branching commands (col. 22 lines 25-64, which discloses that the computer receives a broadcast signal and performs a comparison operation with each subevent against each stored pattern and thus, linking various audio, graphics and video signals).

Therefore, it would have been obvious of one of ordinary skill in the art at the time of the invention was made to have combined the teachings of Bennett and Hoarty with that of Barstow as a whole for the mere benefit of providing better interactivity for the user as to being able to together various signals so that a comparison or correlation could be made.

**7. Claims (5-7 and 14-16) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett, US 5,068,733 in view of Hoarty, US 5,412,720 in further view of Barstow et. al.,US 5,189,630 as applied to claim 1 and in further view of Wachob, US 5,231,494.**

Regarding claims 5-7, the claims have been analyzed and rejected using the same rationale of claims 1-3. The combination of Bennett, Hoarty, and Barstow teach all of the claim limitations of claims 1-3. However, the combination does not explicitly teach of a memory for storing a viewer profile.

Wachob discloses a memory for storing a viewer profile (col. 5 lines 56-66). Therefore, it would have been obvious to have combined the teaches of Bennett, Hoarty, and Barstow with that of Wachob as a whole for the mere benefit of being able to better characterize the viewer.

Regarding claims 14 and 15, the combination of Bennett, Hoarty, and Barstow teach all of the claim limitations of the method for providing live interactive digital programming of claim 13. The combination further teaches of receiving the video and audio signals in a control studio; ([Bennett], background of the invention discloses that signals are received in a remote studio); receiving the combined digital program stream at a receive site ([Bennett], col.2 lines 17-40 which discloses that the combined signals are received by a receiving antenna); re-transmitting the combined digital program stream on a digital cable television distribution system ([Bennett], col.2 lines 17-40) discloses that the signals are re-

transmitted on a cable television distribution system); receiving the combined digital program stream at one or more viewer sites (it is inherent in cable distribution systems to provide video to one or more viewer subscribers); processing the data commands ([Barstow], See Fig. 2 and Fig. 3 and col. 5 lines 47 – col. 6 lines 22); digitally demultiplexing the video and audio signals resulting in a first video and audio signal ([Hoarty], col. 4 lines 22-40 and col.7 lines 1-20; instructing the digital demultiplexer to commence demultiplexing a second video and second audio signal, (See [Hoarty], col. 4 lines 22-40 and col.7 lines 1-20 which discloses digitally multiplexing and [Barstow] col. 22 lines 60 to col.23 lines 14 which discloses a second subevent); seamlessly switching from the first to the second video signal; and displaying the second video signal on a screen ([Bennett], Col.1 lines 69- Col. 2 lines 1-16 and lines 46-55).

The combination of Bennett, Hoarty, and Barstow does not explicitly teach of gathering viewer specific information and selecting signals based on the gathered specific information.

However, in the same field of endeavor Wachob clearly discloses gathering viewer specific information the first output video and first audio signal selected based on the data commands and gathered viewer specific information (col.1 lines 40-52 and col. 5 lines 56-67)

Therefore it would have been obvious of one of ordinary skill in the art at the time of the invention to have combined the teachings of Bennett, Hoarty, and Barstow with that Wachob as a whole for the mere benefit of providing a more

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flexible and enhanced interactive experience by better characterization for a multitude of users.

Regarding claim 16, the combination of Bennett, Hoarty, Barstow, and Wachob teach all the claim limitations of the method of claim 14, the combination further teaches of wherein the step of gathering viewer specific information comprises the steps of: displaying at least one interrogatory to the viewer, the content of the interrogatory involving program options([Bennett], col3. lines 5-11); collecting entries from the viewer in response to the interrogatories([Bennett], col. 3 lines 5-11); and wherein the selection of video or audio signals is based in part on the collected viewer entries([Wachob], col. 1 lines 40-52).

**8. Claims (8-12, and 17) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett, US 5,068,733 in view of Hoarty, US 5,412,720 in further view of Barstow et. al.,US 5,189,630 as applied to claim 1 and in further view of Wolzien, US 5,761,606.**

Regarding claim 8, The combination of Bennett, Hoarty, and Barstow discloses a live interactive digital programming system, comprising: a viewer television reception system for receiving live interactive programming, the live interactive programming comprising a plurality of digitally compressed video, audio, branching codes, the reception system comprising: a viewer interface for receiving viewer entries; a means, connected to the viewer interface, for

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processing comprising: means for selecting one of the video and audio signals and directing a seamless switch to the selected video and audio signals at a predetermined time, the selection of the video and audio signals and the predetermined time of each selection a function of the branching codes and the received viewer entries; and a means for presenting the video and audio signals (See analysis of claim 1).

The combination of Bennett ,Hoarty, and Barstow does not explicitly teach of one or more uniform resource locators specifying one or more Internet addresses of related Internet information segments obtained from Web sites on the Internet; a means for decoding the uniform resource locators to determine the specified Internet addresses; a means, connected to the decoding means, for retrieving the one or more Internet information segments residing at the determined Internet addresses; and Internet information segments.

However, in the same field of endeavor, Wolzien discloses a system for providing direct access to an online information services provider through an address embedded in a video or audio program. Furthermore, Wolzien discloses the information segment address is a URL (col. 5 lines 45- col.6 lines 1-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified the teachings of Bennett, Hoarty, and Barstow with that of Wolzien as a whole as to provide the user an alternative way to obtain additional or enhanced information from the internet.



Regarding claims 9-12, the combination of Bennett, Hoarty, Barstow, and Wolzien disclose the live interactive digital programming system of claim 8, the combination further teaches of comprising: a demultiplexer, for demultiplexing the selected video and audio signals; and a decompressor/decoder, connected to the demultiplexer, for decompressing the demultiplexed selected video and audio signals (See analysis of claim 1).

Regarding claim 10, the combination of Bennett, Hoarty, Barstow and Wolzien discloses the live interactive digital programming system of claim 8, the combination further teaches of wherein the plurality of digitally compressed video signals correspond to a different predetermined camera angle of an event (See analysis of claim 2).

Regarding claim 11, the combination of Bennett, Hoarty, Barstow, and Wolzien discloses the live interactive digital programming system of claim 8, the combination further teaches of wherein the presenting means displays at least one interrogatory to the viewer, the content of the interrogatory involving program options, and the viewer entries correspond to collected entries from the viewer via the viewer interface in response to the interrogatories (See analysis of claim 4).

Regarding claim 12, the combination of Bennett, Hoarty, Barstow, and Wolzien discloses the live interactive digital programming system of claim 8, the

combination further teaches of wherein the live interactive programming further comprises a plurality of graphics signals and the selecting means selects one of the graphics signals at a predetermined time, the selection of the graphics signal a function of the branching codes and the viewer profile, and further comprising a means, connected to the microprocessor, for presenting the selected graphics signal on the display means (See analysis of claim 3).

Regarding claim 17, the claim has been analyzed and rejected for the same reasons set forth in the rejections of claim 8 and 9.

### **Contact**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky Chin whose telephone number is 571-270-3753. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on 571-272-7332. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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